

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Danville Division**

LUCINDA SMALL and ANGEL CUNNINGHAM,
Plaintiffs,

v.

VISTA CLINICAL DIAGNOSTICS, LLC,
Defendant.

Case No. 4:17-cv-00081

**CONSENT MOTION FOR REFERRAL TO MAGISTRATE JUDGE FOR
MEDIATION**

Defendant Vista Clinical Diagnostics, LLC (“Vista”), by and through undersigned counsel, respectfully requests that this Court refer this matter to mediation with a U.S. Magistrate Judge. In support of this Motion, Vista states as follows:

1. This case is currently set for trial commencing December 10, 2018.
2. The Parties have engaged in settlement discussions; however, to date the Parties' settlement efforts have been unsuccessful.
3. Vista believes that further settlement discussions mediated by a U.S. Magistrate Judge would be beneficial.

4. Counsel for Plaintiffs have indicated that they consent to this motion.
5. A proposed Order is attached as Exhibit 1.

WHEREFORE Vista Clinical Diagnostics, LLC respectfully moves this Court for entry of an Order referring this matter to a settlement conference with a U.S. Magistrate Judge.

Dated: October 2, 2018

VISTA CLINICAL DIAGNOSTICS, LLC

By: /s/
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CERTIFICATE OF SERVICE

I certify that on October 2, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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